



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 14.17

Subject: Investigation of DCS Employees or Their Significant Others as Alleged Perpetrators of Child Abuse and/or Neglect

Supersedes: ROCM INV400

Local Policy: No
Local Procedures: No
Training Required: No

Approved by:

Effective date: 12/01/01

Revision date:

Application

To All Department of Children's Services Employees

Authority: TCA 37-1-405, 37-5-106

Policy

Investigations alleging abuse of any child by a Department of Children's Services employee, employee's relative, or employee's significant others shall be reported immediately to the Regional Administrator for assignment.

Procedures

- | | |
|--|--|
| A. Transfer of jurisdiction to outside the region | The Regional Administrator shall arrange for the investigation to be conducted by employees from outside the region. If an electronic entry in TN Kids exists, the Regional Administrator shall ensure that it be transferred to the region assigned to investigate. |
| B. Notification to the appropriate Assistant Commissioner | The Regional Administrator shall immediately notify the appropriate Assistant Commissioner of any referrals alleging child abuse and/or neglect by a DCS employee. |
| C. Change of work environment for employee(s) | If the referral suggests that an employee may have committed child abuse or neglect, the appropriate Assistant Commissioner shall take action to ensure that the employee shall have no contact with any child in the work place while the investigation is being conducted. |

- D. Indicated finding**
1. If the investigative information supports a finding of “indicated perpetrator” or if the Child Protective Investigative Team (CPIT) finds the employee to be an “indicated perpetrator”, the alleged perpetrator shall be offered the opportunity to challenge this finding in a due process proceeding. (See DCS policies 14.10, *Child Protective Services Commissioner’s Case File Review of Indicate Neglect or Abuse Investigations* and 14.11, *Child Protective Services Due Process*.)
 2. The plan to prevent the employee’s contact with a child or children in the work place shall continue until this due process has been concluded.
- E. Outcome of due process**
1. If the finding is upheld after the completion of the process, the Regional Administrator shall immediately notify the appropriate Assistant Commissioner. The Regional Administrator shall also contact the personnel division to begin consideration of disciplinary action.
 2. If the finding is not upheld, the Regional Administrator shall confer with the Assistant Commissioner about the next steps.
- F. Documentation**
- Documentation shall be maintained in the paper file until the investigation has been conducted. Upon case closure, any paper documents shall be maintained in the regional office for the county where the investigation was conducted. Case recordings shall then be copied into the TN Kids system when all actions have been completed.

Forms

None

Collateral Documents

None

Standards

None